

PROTEST PROCEDURES FOR REQUESTS FOR PROPOSALS

A. Notification

1. Contracts awarded under the provisions of a procedure utilizing a Request for Proposal (See Public Contract Code Sections 10344) shall be awarded only after a notice of the proposed award has been posted in the offices of the contracting agency for five working days.
2. If prior to the award any bidder files a protest with the Department of General Services (DGS) against the awarding of the contract, the contract shall not be awarded until either the protest has been withdrawn or the DGS has decided the matter.

Department of General Services
Office of Legal Services
Attn: Protest Coordinator
707 Third Street, 7th Floor
West Sacramento, CA 95605
Fax: (916) 376-5088

3. Within five days after filing the protest, the protesting bidder shall file with the DGS a full and complete written statement specifying the grounds for the protest.

B. Grounds for Protest

The agency failed to follow the procedures specified in the Request for Proposals or the Public Contract Code.

C. Procedures:

1. Following receipt of a protest filed as prescribed, the DGS shall determine whether the protest is to be resolved by written submission of material or by public hearing. (See Title 2, California Code of Regulations, Section 1195, et seq.)
2. Hearing Procedures
 - a. A hearing shall be conducted by the Director of the DGS or by a designated representative pursuant to the applicable statutes and regulations.
 - b. The DGS arranges for all hearing to be recorded by a hearing reporter. Any interested party may arrange with the report to have a transcript prepared at his or her own cost.
 - c. All of the costs of the proceeding are charged to the State agency involved.